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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 PICTURE PERFECT FILM ASSETS,

9 Plaintiff,

10 v.

11 THE MacLAREN ART CENTER,
12 et al.,

Defendants.

C16-1893 TSZ

MINUTE ORDER

13 The following Minute Order is made by direction of the Court, the Honorable
14 Thomas S. Zilly, United States District Judge:

15 (1) Plaintiff's motion to strike, docket no. 83, the reply declaration of David
16 Spellman, docket no. 80, is DENIED.

17 (2) Defendant The MacLaren Art Center's motion to dismiss, docket no. 54, is
18 DENIED. With respect to personal jurisdiction over The MacLaren Art Center, the
19 motion merely repeats arguments that the Court has already rejected. See Minute Orders
20 (docket nos. 35 & 46). With regard to any defense asserted under Federal Rules of Civil
21 Procedure 12(b)(4) or (5), The MacLaren Art Center does not dispute that it was properly
22 served, and any insufficiency in process as to other parties is not a basis for dismissing
23 plaintiff's claims against The MacLaren Art Center. As to the request for dismissal
pursuant to the doctrine of forum non conveniens, the Court is satisfied that the relevant
factors weigh against such "drastic exercise" of the Court's "inherent power" to "decline
jurisdiction in exceptional circumstances." See Carijano v. Occidental Petroleum Corp.,
643 F.3d 1216, 1224 (9th Cir. 2011). The arguments concerning the status of Paddon and
Yorke, Inc. ("P+Y") as an indispensable party are moot in light of the stipulation between
plaintiff and P+Y dismissing plaintiff's claims against P+Y with prejudice. Stipulation
(docket no. 95); see Minute Order (docket no. 96).

1 (3) Defendant The MacLaren Art Center's motion to stay, docket no. 97, is
2 GRANTED. This matter is STAYED pending further order of the Court. The parties
3 shall file a Joint Status Report within fourteen (14) days after any decision by the Ontario
4 Superior Court of Justice in the proceeding involving many of the parties to this action,
5 or within fourteen (14) days after the Canadian litigation otherwise resolves, or by July 6,
6 2018, whichever occurs earlier.

7 (4) The Clerk is directed to send a copy of this Minute Order to all counsel of
8 record.

9 Dated this 25th day of May, 2018.

10 William M. McCool
11 Clerk

12 s/Karen Dews
13 Deputy Clerk